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THE CONDOR.

Bulletin of the

COOPER ORNITHOLOGICAL CLUB OF CALIFORNIA.

Published bi-monthly at Santa Clara, Cal., in the interests
and as Official Organ of the Club.

CHESTER BARLOW, - - - Santa Clara, Cal.,
Editor-in-Chief.

WALTER K. FISHER, - - - Stanford University Cal.
HOWARD ROBERTSON, Box 55, Sta. A., Los Angeles,
Associates.

DONALD A. COHEN, - - - Alameda, Cal.,
H. S. SWARTH, 512 Coronado St., - - - Los Angeles.
Business Managers.

Subscription, (in advance) - - - One Dollar a Year.
Single Copies, - - - - - 25 Cents.
Six Copies or more of one issue, - - - 12½ Cents Each.
Foreign Subscription, - - - - - \$1.25.
Free to Honorary Members and to Active Members not
in arrears for dues.

Advertising rates will be sent on application.

Advertisements and subscriptions should be sent to the
Business Managers.

Exchanges should be sent to the Editor-in-Chief.

Entered at the Santa Clara Post-office as second class
matter.

This issue of The Condor was mailed Jan. 15.

EDITORIAL NOTES.

A The Eighteenth Congress of the Greater American Ornithologists' Union **A. O. U.** proved unusually interesting in results, inasmuch as the proposed changes regulating its membership constitute one of the broadest and most radical moves ever considered by the Union at a single meeting. Previous to this session there seemed nothing to indicate that a general revision of the membership was to follow, but it is apparent from the response according the movement that those closest to the Union had become awakened to the advisability, if not the necessity, of providing in some way for the expansion which has steadily been going on in ornithological ranks during the past decade.

The proposed changes in the by-laws of the Union provide for increasing the number of Active members from 50 to 75 (provided that not more than five members of this class be elected in any one year), these members to be designated as Fellows. An intermediate class, also limited to 75, will be created, to be known as Members, and will include the more advanced workers of the present associate membership. A third class will be known as Associates and will embrace all those members of the Union not included in the two previous classes. Thus an encouraging system of progression is provided, and any ambitious and competent member in the Associate list, may, in proper time and by election, advance to the position of Member, whence, according to

ability and existing vacancies, he may in time become a Fellow.

It is understood that these proposed changes in the By-Laws will be adopted at the 1901 Congress and become operative. We learn that probably 50 Members will be elected from the associate list at that time and that the dues of Members will be fixed at \$4.

This expansion of the Union's membership has produced an indisputable feeling of satisfaction on the Coast, and ornithologists generally must feel that this marks the beginning of an era of increased prosperity for the A. O. U. When those governing the Union have so generously met the demand which an increased interest in the science has created, it becomes the part of those constituting the membership to voice their appreciation of the movement by concerted action in adding new members and by strengthening the fraternal ties which bind together those allied with the Union.

The sentiment of Californians seems aptly expressed in a personal letter to the editor from Mr. F. S. Daggett of Pasadena, Cal., whose loyalty to ornithological work in the state is well known. Mr. Daggett comments as follows: "The action of the A. O. U. in recommending an increase of its 'active' list is a source of much gratification, inasmuch as it shows that the Union is under the control of liberal, broad-minded men who are anxious and willing that the Union shall broaden to meet all legitimate requirements. The ornithologists of the country may rely with perfect confidence upon such a governing body, who, by this act, have done so much to cement all interests in the Union.

"When the new members are chosen, if the Pacific Coast is fortunate enough to receive recognition, I trust the selection will be made only after careful and long deliberation and with the co-operation of our Club. Most of us have no aspirations that way, but we are deeply interested in seeing that the right man is selected, if we are so fortunate as to draw a prize. It is unfortunate that all of the present Active members resident on the Pacific Coast, do not fraternize with the element which has done so much to foster ornithology and bird protection in California during the past few years; else I would suggest that a selection be made upon their recommendation. As it is, I believe that the best results would be obtained by presenting a candidate selected by a full vote of the Club, which includes all the California A. O. U. active members, who are still active in the true sense.

"Of course all this is premature and only based upon the presumption that the A. O. U., in its expansive mood, may confer an honor upon some of our Pacific Coast workers. Whether we receive recognition or not, we certainly can feel that the A. O. U. is a strong, broad body worthy of the hearty support of

every ornithologist in the country, and I am sure that the Cooper Ornithological Club, with its constantly growing influence, will, as heretofore, be its most loyal subject."

The editors take this occasion to extend thanks to Mr. Richard C. McGregor for compiling the index for Vol. II of THE CONDOR, which is sent out with this issue. The index will be found most complete, bird species being indexed by both the common and the scientific names, while each author is credited with all his titles for the year.

With this issue of THE CONDOR, Mr. Walter K. Fisher becomes Associate Editor from the Northern Division, vice Henry Reed Taylor, who finds his time too limited to give the office attention. Mr. Fisher's energy, as well as his knowledge of matters ornithological, will prove him a valuable member of THE CONDOR's staff, and this magazine looks confidently forward to carrying out to some extent during 1901, its ideas of what constitute an ideal ornithological magazine.



"The Way of the Transgressor Is Hard."

In the March-April CONDOR for 1900, we called attention editorially to a circular sent out by one, W. B. Caraway of Alma, Ark., in which he posed as a dealer in song birds. At the end of the circular occurred a paragraph reading as follows: "*We can furnish birds' skins and skins of small animals (native) for taxidermists and millinery purposes in large quantities at reasonable prices.*"

It appears that a copy of THE CONDOR containing the editorial was sent by Mr. Otto Widmann of Old Orchard, Mo. to Mrs. Louise McG. Stephenson, a member of the A. O. U. Committee for the Protection of Birds, residing at Helena, Ark. Mrs. Stephenson writes that previous to this she had written all the circuit judges of Arkansas asking them to charge the grand juries in their circuits with regard to the 'Bird Law Act' which is operative in Arkansas. Among the judges who responded was one residing in the circuit where lives the offender, Caraway.

A copy of THE CONDOR's editorial and some of Mr. Caraway's circulars were sent by Mrs. Stephenson to the judge, who replied that he had given them into his prosecuting attorney's hands. The results are apparent from

the following copy of a letter kindly furnished THE CONDOR by Mrs. Stephenson.

W. B. CARAWAY,

DEALER IN

Living Wild Animals and Birds for Scientific and Propagating Purposes. Pet Stock of All Kinds.

ALMA, ARKANSAS, U. S. A.,

Dec. 1st. 1900.

Mrs. Louise McGowen Stephenson,
Helena, Arkansas.

Dear Madam:—I have to inform you that through your information to Judge J. H. Evans of this, the Crawford County Circuit Court, I was indicted by the Grand Jury for exporting wild birds from this state for which I will have to pay a heavy fine, costs etc.

Now it may have been your duty to have reported me to the court for this but to be plain and honest with you I did not even know there was a law against shipping live birds for breeding or propagating purposes or animals of any kind for this purpose.

I do know that I can get all I want in other states shipped per my orders for breeding & etc.

I don't want to violate our laws and am a lawful abiding citizen born and reared in this state, a democrat and a southern man—if you had kindly written me before hand explaining there was a law against shipping birds I of course would have ceased doing so at once. It don't seem to me that I, a stranger, should deserve this kind of treatment from your hands and it is hard for me to pay out money, besides the unpleasant notoriety I get in the matter.

Under the above circumstances I don't believe I would have treated a person like you have me for I believe in that old adage: Do unto others as you would have them do unto you.

Respectfully,

W. B. CARAWAY.

Arkansas justice and Mrs. Stephenson are to be commended for this valuable effort toward bird protection and Mr. Caraway has very naturally reached that stage where penitence is becoming! But it may be safely assumed that the evidence was ample to warrant a conviction. One of the weak points in Mr. Caraway's plea is that he ascribes his conviction to exporting wild birds from out of his state. This evidently does not constitute the most serious offense of which he was guilty, for his offer to supply the millinery trade "in large quantities at reasonable prices" must be taken as evidence of his willingness to execute any possible orders in this line. Wherefore, his conviction is a step in the right direction.